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275 Battery Street, Suite 2000  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LIVEOPS, INC.,

CASE NO. C 05-03773 MJJ

Plaintiff

vs.

**STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING DEADLINE TO  
COMPLETE PRIVATE MEDIATION**

TELEO, INC., et al.

Granted

Defendant.

Complaint Filed: September 19, 2005

WHEREAS, on December 13, 2005, the parties stipulated to participate in private mediation through JAMS, AAA, or another similar service provider ("Private ADR Session").

WHEREAS, on December 13, 2005, the parties stipulated to hold the Private ADR Session within 90 days from the date of the Court's order referring the case to private mediation.

WHEREAS, on December 15, 2005, the Court adopted the parties' December 13, 2005 stipulation as an order, thereby requiring the parties to complete the Private ADR Session by March 15, 2006.

WHEREAS, the parties have agreed on Hon. Edward A. Infante (Ret.) of JAMS to conduct the Private ADR Session.

WHEREAS, it is necessary to extend the March 15, 2006 deadline to complete Private ADR Session because the first date that the parties, counsel for the parties, and the Hon. Edward A. Infante (Ret.) are all available to conduct the Private ADR Session is March 29, 2006.

WHEREAS, to date, the following time modifications have occurred in this action:

- On October 10, 2005, LiveOps and Teleo filed a stipulation extending Teleo's time for responding to the Complaint to November 7, 2005.
- On October 24, 2005, LiveOps and Brown filed a stipulation extending Brown's time for responding to the Complaint to November 16, 2005.
- On November 1, 2005, LiveOps and Teleo filed a stipulation extending Teleo's time for responding to the Complaint to November 16, 2005.
- At Judge Jenkins request, on November 18, 2005, Brown re-noticed the hearing on his motion to dismiss from January 3, 2006 to January 10, 2006.
- On December 6, 2005, Judge Jenkins issued an order granting the parties' stipulation to reset the Initial Case Management Conference for January 10, 2006.
- On December 9, 2005, Judge Jenkins vacated the January 10, 2006 hearing date for Brown's Motion to Compel and referred it and all other discovery matters to this Court.
- On December 12, 2005, Judge Jenkins reset the due date for the parties' joint case management statement from January 3, 2006 to January 9, 2006 and the Initial Case Management Conference from January 10, 2006 to January 17, 2006.
- On December 13, 2005, Magistrate Judge Chen reset the hearing on Brown's Motion to Compel for January 18, 2006.
- On January 5, 2006, Judge Jenkins reset the due date for the parties' joint case management statement to February 12, 2006 and the Initial Case Management Conference for February 21, 2006
- On January 20, 2006, Magistrate Judge Chen ordered that: (a) the parties to meet and confer on a stipulated protective order and file such an order by January 25, 2006; (b) Plaintiff serve its disclosure pursuant to Cal. Civ. Proc. Code § 2019.210 under such protective order by February 6, 2006; (c) Defendants serve their initial disclosures by January 25, 2006; and (d) the parties meet and confer and file a joint discovery plan by February 10, 2006.
- On January 26, 2006, in response to the parties' request, Magistrate Judge Chen granting an extension of two days to file a stipulated protective order to January 27, 2006.

WHEREAS, extending the deadline to complete the Private ADR Session to April 7, 2006 will provide the parties sufficient time to conduct the Private Mediation Session on March 29, 2006 and not have an adverse affect on the schedule of this case.

1 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the parties to this  
2 action, by and through their respective counsel, that the deadline to complete the Private ADR  
3 Session is extended to April 7, 2006.

4  
5 DATED: February 6, 2006

GORDON & REES LLP

6 /s/ Jeffrey M. Ratinoff

7 By: \_\_\_\_\_

Jeffrey M. Ratinoff

Attorneys for Plaintiff LIVEOPS, INC.

8  
9 DATED: February 6, 2006

TOWNSEND AND TOWNSEND AND CREW LLP

10 /s/ Maureen A. Sheehy

11 By: \_\_\_\_\_

Maureen A. Sheehy

Attorneys for Defendant WENDELL BROWN.

12  
13 DATED: February 6, 2006

MUNGER, TOLLES & OLSON LLP

14 /s/ Hojoon Hwang

15 By: \_\_\_\_\_

Hojoon Hwang

Attorneys for Defendant TELEO, INC.

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17  
18 **PROPOSED ORDER**

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20 Dated: February 7, 2006

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MARTIN J. JENKINS

UNITED STATES DISTRICT COURT JUDGE